

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Philip Jacoby	)	Art Unit: 1794
	)	
Application No.: 10/824,730	)	Examiner: Chevalier, A. A.
	)	
Filing Date: April 15, 2004	)	Confirmation: 6721
	)	
For: "EXTRUDED POLYPROPYLENE SHEETS	)	
CONTAINING BETA SPHERULITES"	)	

**SUMMARY OF EXAMINER INTERVIEW**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer No. 23859

Sir:

This Summary is responsive to an Examiner's Interview Summary mailed June 3, 2008.

**Remarks** begin on page 2 of this paper.

The **Conclusion** appears on page 3 of this paper.

**REMARKS**

The application was filed with claims 1-16. Claims 1-9 and 12 were canceled by previous amendments. Claims 17-29 and 30-36 were added by previous amendments. Claims 14, 17-22, and 27 have been canceled by Examiner's Amendment mailed June 23, 2008. Therefore, claims 10-11, 13, 15-16, 23-26, and 28-36 are pending. Per a Notice of Allowance mailed June 23, 2008, claims 10-11, 13, 15-16, 23-26, and 28-36 stand allowed.

***Summary of May 29, 2008, Telephonic Interview***

Present in the interview were Examiner Chevalier, inventor Philip Jacoby, and Applicant's representative, D. Brian Shortell. Inventor Jacoby was present in the Examiner's office and Applicant's representative participated via telephone. Inventor Jacoby presented exhibits of geogrids with and without beta-nucleant.

All pending claims were discussed vis-à-vis all cited references. Applicant's representative argued that it would not have been obvious to combine the cited references. Applicant's representative also argued that a thermoforming additive would not have been expected to improve the strength of an extruded sheet.

Inventor Jacoby and Applicant's representative explained that one of skill in the art may have expected that addition of beta-nucleant could decrease density of an extruded sheet, but that one of skill in the art would not have expected that the beta-nucleant would facilitate redistribution of polymer during the orientation process, thereby decreasing node thickness and increasing tensile strength. Thus, it was argued that the claimed oriented webs exhibited unexpectedly superior results.

Agreement was not reached; however, the Examiner agreed to consider proposed amendments to include a claim element directed to an increase in tensile strength.

**CONCLUSION**

A one-month non-extendable period was set for response, nominally ending July 2, 2008. Therefore, this paper is timely. No fee is believed due with this summary. However, the Commissioner is hereby authorized to charge any fees that may be required or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,  
NEEDLE & ROSENBERG, P.C.

/D. Brian Shortell/

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D. Brian Shortell, JD, PhD  
Registration No. 56,020

NEEDLE & ROSENBERG, P.C.  
Customer Number 23859  
(678) 420-9300 Phone  
(678) 420-9301 Fax

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/D. Brian Shortell/

\_\_\_\_\_  
D. Brian Shortell, JD, PhD

June 26, 2008

\_\_\_\_\_  
Date